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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,470	02/23/2000	Joseph A. Bobier	ICL-2-002	3909
26376	7590	02/22/2005	EXAMINER	
DENNIS L. COOK, ESQ. THE LAW OFFICES OF DENNIS L COOK PLLC 12718 DUPONT CIRCLE TAMPA, FL 33626			FAN, CHIEH M	
			ART UNIT	PAPER NUMBER
			2634	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/511,470

Applicant(s)

BOBIER, JOSEPH A.

Examiner

Chieh M Fan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-22,33-42 and 45-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 4-22,33-42 and 45-54 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to the after-final amendment filed on 1/24/05.

Claim Objections

1. Claims 4-22, 33-42, and 45-54 are objected to because of the following informalities:

Regarding **claim 4**, in order to avoid the problem of lacking antecedent basis, the Examiner suggests rewriting claim 4 as the following:

4. A method for transmitting binary information from an information stream, comprising the steps of:

(a) generating an R.F. carrier at a select carrier frequency by providing a local oscillator having an oscillator output at said carrier frequency and exhibiting a waveform with a continuous sequence of wavelets each being defined by a 360 degree cycle between crossover positions each of which represents a substantially zero energy level;

(b) receiving said information stream as a given sequence of first and second binary signals;

(c) synchronizing said sequence of first and second binary signals with [said] the carrier continuous sequence of wavelet crossover positions to provide synchronizing control outputs corresponding with said first and second binary

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signals by phase tracking said carrier to provide a phase signal identifying said crossover positions, and combining said phase signal with said given sequence of first and second binary signals to derive said synchronizing control outputs ~~wherein said combining of said phase signal with said sequence of first and second binary signals is accomplished with select delays for permitting said carrier modulation termination and transmission to persist for an interval of at least a full cycle wavelet;~~

(d) modulating said carrier in response to said synchronizing control outputs by terminating said carrier between an integer number of wavelets defining crossover positions to derive [a said] the first binary signal and transmitting an integer number of said wavelets between said crossover positions within said sequence to derive [a said] the second binary signal permitting [said] the carrier modulation termination and transmission to persist for an interval of at least an integer number of full cycle wavelets by switching said carrier off and on in response to said synchronizing control outputs without effecting a sideband generating distortion thereof, wherein said combining of said phase signal with said sequence of first and second binary signals is accomplished with select delays for permitting said carrier modulation termination and transmission to persist for an interval of at least a full cycle wavelet; and

(e) broadcasting [said] the modulated carrier.

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Regarding **claim 6**, "said broadcasted modulated carrier" in lines 2-3 should be changed to --- the broadcasted modulated carrier --- because the exact term "broadcasted modulated carrier" has not been recited before.

Regarding **claim 8**, "a said wavelet" in line 6 should be changed to --- the wavelets ---; "a wavelet" in line 6 should be changed to --- the wavelets ---.

Regarding **claim 10**, "said carrier continuous sequence of wavelet crossover positions" in lines 9-10 (lines 1-2 of step (c)) should be changed to --- the carrier continuous sequence of wavelet crossover positions ---; "said carrier modulation termination and transmission" in line 16 (line 5 of step (d)) should be changed to --- the carrier modulation termination and transmission ---; "broadcasting said modulated carrier" in line 18 (line 1 of step (e)) should be changed to --- broadcasting the modulated carrier ---; "said broadcasted modulated carrier" in lines 19-20 (lines 1-2 of step (f)) should be changed to --- the broadcasted modulated carrier ---; "a select said intermediate frequency component" in line 28 (line 2 of step (j)) should be changed to --- a select intermediate frequency component ---.

Regarding **claim 15**, "n said modulated carriers" in lines 2-3 should be changed to --- n modulated carriers ---.

Regarding **claim 17**, "said mixing frequency output with said complex carrier signal" in line 14 should be changed to --- said select mixing frequency with said received modulated complex carrier signal ---.

Regarding **claim 19**, "said broadcasted modulated carrier" in line 3 should be changed to --- the broadcasted modulated carrier ---.

Regarding **claim 21**, “implemented R.F. fitter” in line 3 should be changed to --- implemented R.F. filter ---.

Regarding **claim 33**, “a period of an integer number of said wavelets” in line 17 should be changed to --- a period of an integer number of wavelets ---; “the said period of an integer number of said wavelets” in line 18 should be changed to --- said period of an integer number of wavelets ---; “said carrier modulation termination” in line 19 should be changed to --- the carrier modulation switching-off ---; “far effecting the broadcast thereof” in line 22 should be changed to --- for effecting a broadcast therefore ---.

Regarding **claim 34**, “said synchronization inputs” in line 2 should be changed to --- said synchronization outputs ---.

Regarding **claim 39**, “a period of an integer number of said wavelets” in line 14 should be changed to --- a period of an integer number of wavelets ---; “the said period of an integer number of said wavelets” in line 15 should be changed to --- said period of an integer number of wavelets ---; “said carrier modulation termination” in line 16 should be changed to --- the carrier modulation switching-off ---; “far effecting the broadcast thereof” in line 19 should be changed to --- for effecting a broadcast therefore ---.

Regarding **claim 40**, “a period of an integer number of said wavelets” in line 14 should be changed to --- a period of an integer number of wavelets ---; “the said period of an integer number of said wavelets” in line 15 should be changed to --- said period of an integer number of wavelets ---; “said carrier modulation termination” in line 16 should be changed to --- the carrier modulation switching-off ---; “far effecting the broadcast thereof” in line 19 should be changed to --- for effecting a broadcast therefore ---; “a said

wavelet" in line 35 should be changed to --- the wavelets ---; "a wavelet" in lines 35-36 should be changed to --- the wavelets ---.

Regarding **claim 45**, "an integer number of the period of the wavelet" in line 17 should be changed to --- an integer number of a period of the wavelet ---; "said carrier modulation termination" in line 20 should be changed to --- the carrier modulation switching-off ---; "for effecting the broadcast thereof" in line 23 should be changed to --- for effecting a broadcast therefore ---.

Regarding **claim 46**, "said synchronization inputs" in line 2 should be changed to --- said synchronization outputs ---.

Regarding **claim 49**, "a said wavelet" in line 8 should be changed to --- a wavelet ---; "a said crossover position for the said period" in lines 13-14 should be changed to --- a crossover position for a period ---; "for the said period" in line 15 should be changed to --- for said period ---; "for effecting the broadcast thereof" in line 18 should be changed to --- for effecting a broadcast therefore ---; "a select said intermediate frequency component" in line 27 should be changed to --- a select intermediate frequency component ---.

Regarding **claim 51**, "said receiver local" should be changed to --- the receiver local ---.

Regarding **claim 54**, "discrete said broadcasted transmission outputs" in line 3 should be changed to --- discrete broadcasted transmission outputs ---.

Appropriate correction is required.

Allowable Subject Matter

2. Claims 4-22, 33-42 and 45-54 would be allowable if rewritten or amended to overcome the claim objections set forth in this Office action. The reasons for indicating allowance may be seen in the last Office Action.

Conclusion

3. This application is in condition for allowance except for the following formal matters:

Claim objections.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chieh M Fan whose telephone number is (571) 272-3042. The examiner can normally be reached on Monday-Friday 8:00AM-5:30PM, Alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chieh M Fan
Primary Examiner
Art Unit 2634

February 10, 2005